

Regular City Council Meeting
City Council Chambers

September 18, 2018
5:30 p.m.

Present: Mayor –	Joyce Hudson	Not present - Council member	Verlin Janssen
Council members	Jeff Kennedy		
	Randy Waskowiak		
	Jay Richeson		
City Administrator	Bruce Clymer		
City Clerk / Treasurer	Brandi Kloeping		
City Attorney	Mike Bacon		

Also present: Shane Gruber, Jordan Aden, Andy Jesseph, Clark and Bryn McPheeters

Mayor Hudson opened the meeting and public hearings at 5:30 p.m. Advance notice and a copy of the agenda were given to the Council and members of the press. City Council meetings are conducted in accordance with the Open Meetings Act, a copy of which is available for public inspection on the north wall of the Council Chambers.

Jordan Aden is buying the Preschool business from Charity Wyatt and is applying for a Special Use Permit to continue operating the preschool. There were stipulations for Mrs. Wyatt and the Planning and Zoning recommends approval to the City Council with the same stipulations.

Kennedy moved, Waskowiak seconded, to close the public hearing for Special Use Permit #151. Roll call vote: Yea – Richeson, Waskowiak, Kennedy. No – None. Absent and not voting – Janssen.

Waskowiak moved, Kennedy seconded, to approve Special Use Permit #151 to operate a private preschool @ 1401 Lake Ave with the following stipulations.

- The permit shall expire upon moving the business from 1401 Lake Avenue, 1st United Methodist Church.
- The permit shall expire upon sale of part or all of the business by Jordan Aden.
- The new owner of the business shall be required to obtain a new and separate permit from the City.
- No on-street employee parking.
- Signage is allowed but will not be illuminated and will be no greater than six square feet in area.

Roll call vote: Yea – Richeson, Kennedy, Waskowiak. No – None. Absent and not voting – Janssen.

Richeson moved, Kennedy seconded, to approving the consent agenda that included:

City Council minutes – Sept 4, 11
Police Report – August
Planning & Zoning minutes – August 14
Building permit report - August

Roll call vote: Yea –Waskowiak, Kennedy, Richeson. No – None. Absent and not voting – Janssen.

Waskowiak moved, Kennedy seconded, allowing payment of claims against the City, \$92,587.16, except Check number 91818039; Public Works Division \$525,341.31; and the September 12 payroll of \$34,103.16. Roll call vote: Yea – Richeson, Kennedy, Waskowiak. No – None. Absent and not voting – Janssen.

Waskowiak moved, Richeson seconded, allowing payment of claim check # 91818039. Roll call vote: Yea –Richeson, Waskowiak. Abstain – Kennedy. No – None. Absent and not voting – Janssen.

Community Comments:

- The water tests on our wells are geared toward testing for arsenic. The limit in municipalities is 10 parts per billion and in the past years we have crept up. The well on 16th Street north of the football field is shut down unless there is an emergency. This year the average is 7.87 down from 9.05 last year. Shane Gruber is going to ask the state to allow us to pump water into the street for a couple days and test it to see if we can put the 16th Street well back online. Gruber said he is not sure why the arsenic went down but Monsanto also dropped this year.
- The Harvest Festival went well and the street crew did a great job cleaning up before and after.
- All the recycling containers and the dumpster will be moving to a concrete pad and the camera will be moved to watch that area.

The interim financing for Solar Phase II and fencing will not exceed \$795,000, be for 1 year or less at 2.5% interest rate.

Richeson moved, Kennedy seconded, to approve Resolution 2018-17 regarding interim financing for Solar Phase II and fencing. Roll call vote: Yea – Waskowiak, Kennedy, Richeson. No – None. Absent and not voting – Janssen.

Kennedy moved, Waskowiak seconded, to approve appointment of firemen Archer Jensen and Riley Kort. Roll call vote: Yea – Richeson, Waskowiak, Kennedy. No – None. Absent and not voting – Janssen.

An unsafe notice was sent to Andy Jesseph after a fire at the structure. The fire department said there was damage to 1-2 rafters and that the fire went through the roof. The windows have been open since the fire and that is not safe. Jesseph is appealing the decision.

Jesseph said there is no structural damage, 4 ceiling joists burned and the fire didn't burn through the roof, it was a roof vent that was removed causing the hole in the roof. He is willing to let the building inspector in to look at the structure. Clymer said that it was an electrical fire and a permit has to be pulled for electrical work by a contractor. Jesseph said the windows were open to air it out and he can get them secured. Council would like to hire an inspector to go in and prove that it is ok. At this time, there is no motion made, but the City is authorized to send an inspector in to tell us the options of the structure.

Clark and Bryn McPheeters are requesting an agreement to cross the City easement with their fence. They stated that they are losing 20% of the lot or 40% of their back yard if they are not able to put the fence across the easement. They have the materials sitting and the contractor is being delayed. They would put poles in that could be pulled out of the ground in approximately 2 hours easily if needed. NPPD has been contacted about their easement and they could possibly make their easement smaller. McPheeters say their neighbors are ok with the height and fence.

Kennedy said he appreciates McPheeters coming in and talking to each of them personally, but it is not in the best interest of the City and he doesn't want to regret allowing it. Waskowiak apologized for them getting permission originally and that will need to be addressed later. No motion was made.

There was a request to have sidewalks fixed by staff not Council. The City will go back out and remark, determine square footage, put it back on the agenda on October 2nd to be addressed. We have to follow the

code. Richeson asked if the contractor supplies an estimate and completion date will we allow them to move forward. Bacon said the process to allow them to do it may need an amendment to the code. Clymer said under state statute we have to give an estimate. It will be put on the next agenda, walked and a list put together.

The City is applying for \$526,500 for Owner Occupied Reuse grant, we have a letter from First State Bank pledging \$45,000 and would be able to do 18 houses at \$25,000 each.

Waskowiak moved, Kennedy seconded, to close the public hearing at 6:43 p.m. Roll call vote: Yea – Richeson, Kennedy, Waskowiak. No – None. Absent and not voting – Janssen.

Waskowiak moved, Richeson seconded, to approve Resolution 2018-18 to apply for 2018 CDBG OOR. Roll call vote: Yea – Kennedy, Richeson, Waskowiak. No – None. Absent and not voting – Janssen.

It was discovered that the meeting was advertised for 7:00 p.m., therefore, we will be holding another hearing on October 2, 2018 at 5:30 p.m.

Waskowiak moved, Kennedy seconded, to adjourn the meeting at 6:45 p.m. Roll call vote: Yea – Richeson, Kennedy, Waskowiak. No – None. Absent and not voting - Janssen

Joyce Hudson, Mayor

Brandi Kloeping, City Cler